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LETTER DATED 26 MAY 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 25 May 1997 addressed to you by Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq. The letter concerns the fact that the United States of America has placed on hold a number of contracts for the importation of medicines in accordance with the procedures set forth in Security Council resolution 986 (1995) and has done so on the pretext that the contracts in question would include free medical samples, ignoring the fact that the inclusion of such samples in contracts for medicines is a standard commercial practice in all countries of the world.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Permanent Representative

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Annex

Letter dated 25 May 1997 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

The representative of the United States of America in the Security Council Committee established by resolution 661 (1990) has placed on hold the contracts for the supply of pharmaceuticals numbered 252, 253, 391, 428, 429 and 553 and has done so on the pretext that they would include free merchandise or free medical samples. The use of this pretext only confirms, once again, that the United States of America is pursuing a policy, which has become evident to one and all, of impeding the smooth implementation of the Memorandum of Understanding and blocking the contracts of sale submitted by various foreign companies to the secretariat of the 661 Committee in order to ensure the provision of basic supplies to Iraq.

The inclusion of free merchandise and medical samples in contracts for medicines is a standard commercial practice in all countries of the world. Pharmaceutical companies distribute them to physicians in order to introduce their products and to provide information on a particular medication and on its ingredients and uses as well as other details of a scientific nature that are useful in the treatment of patients. There is no doctor's office in the world, not even in the United States, that is without medical samples of this kind, and the doctor usually gives them to his patients free of charge.

The question of free merchandise and free medical samples has been discussed by those concerned in the Iraqi Ministry of Health, the monitoring units of the Office of the Coordinator of the Inter-Agency Humanitarian Programme and the observers of the World Health Organization (WHO), and agreement has been reached on a formula for their distribution. The same principles are to be used as those on the basis of which medicines imported under the purchase and distribution plan are distributed to all governorates of Iraq, including the three northern governorates, while taking account of the population and number of doctors in each governorate. The same principles of monitoring and observation will be applied to free merchandise and medical samples as are applied to other medicines.

In his summary presentation to the Security Council on 22 May 1997, Mr. Yasushi Akashi, Under-Secretary-General for Humanitarian Affairs, referred to the disgraceful state of the hospitals he visited, without prior arrangement, in Baghdad and Mosul during his visit to Iraq from 3 to 9 May 1997. Mr. Nakajima, Director-General of WHO, in a statement issued after his visit to Iraq, also said that the country's health system was on the verge of collapse. These facts have not been enough to persuade the representative of the United States of America to desist from using irresponsible methods to prevent thousands of sick children, older persons and women from obtaining the medicines they need to alleviate the suffering brought on by the diseases they have contracted as a result of the maintenance of the unjust embargo against Iraq, which has taken on a political and biased character and which has the goal of undermining the national political regime in Iraq.

I request that you intervene personally, as is required of you in accordance with your responsibilities under the Charter and the provisions of resolution 986 (1995), so that an expeditious solution to this humanitarian issue may be found.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs